

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON DIVISION**

TAMMY SHERRELL WILSON,

Plaintiff,

v.

CIVIL ACTION NO. 3:18-0890

WEXFORD MEDICAL and ADMINISTRATION/STAFF
AT FAULT, (1990 through present);
WARDEN LORI NOHE;
J. D. SALLAZ;
SUSAN BIRDSOING;
CORRECTIONAL OFFICER CHERYL SPENCER;
NATHAN BALL;
BETSY JIVIDEN;
CANDY DAVIS,
C. J. RIDER; and
HEIDI BEEGLE, R.N.,

Defendants.


MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendations for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court deny the Summary Judgment Motion filed by Wilson (ECF No. 198); grant the Summary Judgment Motions of Wexford, Beegle, and the DCR defendants (ECF Nos. 201, 203, 205); grant the dismissal of defendant Candy Davis, who was never properly served with process; dismiss the amended complaint, with prejudice, and remove this case from the docket of the Court. Neither party has filed objections to the Magistrate Judge's findings and recommendations.

Accordingly, the Court accepts and incorporates herein the findings and recommendations of the Magistrate Judge and **DENIES** the Summary Judgment Motion filed by Wilson (ECF No. 198); **GRANTS** the Summary Judgment Motions of Wexford, Beegle, and the DCR defendants (ECF Nos. 201, 203, 205); **GRANTS** the dismissal of defendant Candy Davis, who was never properly served with process; **DISMISSES** the amended complaint, with prejudice, and **REMOVES** this case from the docket of the Court, consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented parties.

ENTER: January 26, 2021



ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE